

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig 3. This sheet replaces the original drawings.

Attachment: Replacement sheet
 Annotated sheet showing changes

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated January 31, 2006, has been received and its contents carefully reviewed.

Applicant amends the specification and the drawing of Figure 3 as indicated.

In the Office Action, claim 10 is rejected under 35 U.S.C. §112, second paragraph, as lacking support in the specification. Applicant directs the Examiner's attention to paragraphs [0017] and [0032] which describe forms of machining of the flooring product. Applicant respectfully requests the objection to claim 10 be withdrawn.

Claim 4 is rejected on the ground of non statutory obviousness type double patenting as being unpatentable over claim 1 of U.S. Patent 6,688,061. Applicant respectfully disagrees with the Examiner about the distinctiveness of claim 4 with respect to claim 1 of the '061 patent, however to expedite prosecution Applicant will file a Terminal Disclaimer after the other issues in the case have been resolved.

Claims 4-9, 11 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,146,252 to Martenson in view of French Patent 1,489,710 to Formica.

The rejection of claim 4 is respectfully traversed and reconsideration is requested. Claim 4 is allowable over the cited references in that each of these claims recites a combination of elements including, for example, "a surface with both a perimeter area having an edge contour and an interior region, wherein the perimeter area is relieved such that a portion of the edge contour is below the interior region, wherein the surface is mechanically formed with a surface texture that varies in accordance with a visual pattern". None of the cited references including Martensson and Formica, singly or in combination, teaches or suggests at least this feature of the claimed invention. Applicant notes that nothing in the Formica patent, including Figure 5,

discloses or suggests "a surface texture that varies in accordance with a visual pattern". It is not clear what Figure 5 depicts. In particular, the Examiner relies on description in the Formica patent to support the rejection; however, the patent is not in English, and Applicant respectfully requests the Examiner provide a translation of the reference or withdraw the rejection.

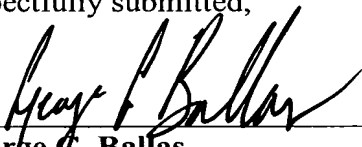
Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: July 28, 2006

Respectfully submitted,

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